

Remarks

Applicant apologize for the minor clerical and typographical errors in the claims, and thanks the Examiner for the suggested corrections of those errors.

2. In Claims:

Claims 26, 28, 29, 32-35, 37 are pending.

Claims 26, 28, 29, 32-35, 37 have been rejected.

Claims 28, 29, 33-35, 37 have been amended. All amendments include all Examiner's suggestions made during telephone Interview on 01/21/2009 {P.S. During the Examiner's same day morning telephone call-response to the applicant's voice message with request for telephone interview on 01/21/009 earlier morning. Applicant thanks Examiner for the prompt response.}.

Claims 32 has been canceled without prejudice.

No new matters have been added.

No new claims have been added.

According Claim Rejections - 35 USC § 112 of claims 26, 28, 29, 32-35, 37 (items 1, 2 on pages 4-3 of Office Action [hereinafter "OA"]):

1. According rejection of claim 26:

The rejection of claim 26 has been discussed with the Examiner during the telephone inter-

view, and the rejection of claim 26 has been withdrawn.

{P.S. The Examiner advised the applicant to notice in the remarks the following aspects which have been discussed during the telephone interview, i.e. that the first position 11 is a turning-off position, and the switching from the axle's clockwise position (switching means' second position 12) to the axle's counterclockwise position (switching means' third position 13) or the switching from the axle's counterclockwise position (switching means' third position 13) to the axle's clockwise position (switching means' second position 12) is provided through the position turn-off ("OFF") (switching means' first position 11) [Yufa, Fig. 4, and page 10, lines 9-15]}.

2. According rejection of claims 28, 29, 37:

During telephone interview applicant received Examiner's explanation of the legal matter of the claims double inclusion(s) of elements, i.e. that the antecedent principles involve not only the double inclusion of elements for the nearest previous claim but also for the previous claim(s) in the chain/sequence.

Applicant has amended claims 28, 29, 37.

{P.S. The changes in claim 28 include the incorporation of the content of the canceled claim 32, and change order of sequence of the limitations of the claim 28 as result of such incorporation. All amendments are fully supported in the originally filed application (please, see also the applicant's entered Amendment of 05/05/2008). No new matters have been added}.

Applicant respectfully traversed the rejections of claims 28, 29, 37, and the rejections 35 U.S.C. §112 of claims 28, 29, 37 as amended should be withdrawn.

3. According rejection of claim 32:

Applicant has canceled the claim 32 without prejudice to applicant's rights or creation of an estoppel in preventing Applicant from arguing allowability of the canceled Claim(s) in the future, including in further off-spring applications.

Applicant respectfully traversed the rejections of claim 32, and the rejections 35 U.S.C. §112 of claim 32 as canceled should be withdrawn.

3. According claims 33, 34:

Claims 33, 34 have been rejected without any PTO's explanation(s) and motivation(s).

Applicant voluntarily amended claims 33, 34 to avoid further possible PTO's rejection of the claims 33, 34 on the grounds of double inclusions (antecedent matter).

Applicant respectfully traversed the rejections of claims 33, 34, and the rejection 35 U.S.C. §112 of claims 33, 34 as amended should be withdrawn.

3. According rejection of claim 35:

With respect to "a handle" in claim 35 (claim 35, line 4), the handle 47 of the mechanical power supply 46 is an independent (separate, different) element (component, part) from handle means 20 of the handle portion 1 (Yufa, Fig. 8). The handle 47 is "an outer actuating handle" (Yufa, page 15, lines 6-7, and Fig. 8) intended to activate/actuate (winding, etc.) the spring 58 of the "power-driven mechanical means 46" (Yufa, page 15, lines 4-5, and Fig. 8).

The aspect of the "mechanical switching means" has been also discussed with the Examiner during telephone interview.

Applicant has amended the claim 35.

Applicant respectfully traversed the rejection of claim 35, and the rejection 35 U.S.C. §112 of claim 35 as argued and amended should be withdrawn.

CONCLUSION

The claimed by applicant an anticipated, new and unobvious combination of the means (elements, components, parts) and their connection to each other produces advantages militates in favor of applicant, because it proves that the applicant's new and unobvious combination produces not complex, reliable, and convenient portable cleaning device.

Thus, applicant has canceled the claim 32 and amended the claims 28, 29, 33-35, 37 in accordance with the Examiner's requirements in the OA and with the Examiner's suggestions made during telephone interview, and claims 26, 28, 29, 33-35, 37 now are suitable for allowance.

There have been no any references cited by PTO which disclose, teach, mention or suggest the recitation of the disclosed and claimed new (unsuggested), unanticipated, defined and unobvious combination of the means, as it recited in the applicant's claims 26, 28, 29, 33-35, 37, providing not expensive, reliable, and convenient portable cleaning device.

There was no prior art found and referred that suggested modification or combination with the cited art so as to satisfy combination of the present independent claim 26.

The rejections in the OA of 01/14/2009, made with respect to the applicant's claims amended

in the applicant's Amendment of May 05, 2008, are under 35 U.S.C. §112, second paragraph, only. There were no made any rejections in OA of 01/14/2009 on the grounds of anticipation and/or obviousness (35 U.S.C. §102, 103 respectively) with respect to the applicant's claims in the applicant's Amendment of May 05, 2008. The 35 U.S.C. §112, second paragraph, rejections in the OA of 01/14/2009 are based on the minor clerical and typographical errors, and on antecedent basis in the claims. The rejection of the applicant's claims 26, 28, 29, 32-35, 37 only under 35 U.S.C. §112, second paragraph, legally establishes the fact that PTO during its patent search has not found any prior art eligible for the legitimate claim rejection under 35 U.S.C. §102 and/or 103, and, therefore, the amendments of the minor clerical, typographical errors in the claims, and amendments of the claims under 35 U.S.C. §112, second paragraph, axiomatically bring the amended claims 26, 28, 29, 33-35, 37 in the full condition for allowance.

Applicant, as a pro-se applicant, apologize to the Examiner for the minor errors, and thanks the Examiner for the constructive suggestions leading to the appropriate applicant's amendments presented in this Amendment, and for the prompt response to the applicant's telephone call.

Thus, in view of the foregoing amendments and accompanying remarks, the 35 U.S.C. §112 rejections of claims 26, 28, 29, 33-35, 37 as argued and amended should be withdrawn.

Applicant has canceled the claim 32 and amended claims 28, 29, 33-35, 37, so that the claims 26, 28, 29, 33-35, 37 are proper, and define the novel, none-anticipated portable clean-

ing device, which is also unobvious.

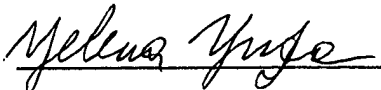
If, for any reasons this application is not believed to be in full condition for allowance, applicant as pro-se applicant, greatly appreciate the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. 706.03(d) and M.P.E.P. 707.07(j) in order that undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings, and if the Examiner feels that applicant's present claims are not entirely suitable, the Examiner drafts one or more allowable claims for applicant pursuant to M.P.E.P. 706.03(d) and M.P.E.P. 707.07(j).

The Examiner is requested to contact applicant, at the telephone number indicated below, to arrange for an interview to expedite the disposition of this case.

For all the reasons given above, applicant respectfully submits that the claim comply with 112.

Accordingly, applicant submits that this application is now in full condition for allowance, which action applicant respectfully solicits.

Very respectfully,



Yelena V. Yufa

January 27, 2009

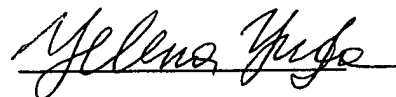
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I certify that this correspondence will be deposited with the United States Postal Service as Certified Mail # 7006 3450 0002 7526 7837 proper postage affixed in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450. Attn.: Mail Stop RCE" on the date below.

Date: January 27, 2009 Applicant: Yelena V. Yufa

A handwritten signature in cursive script, appearing to read "Yelena Yufa", written over a horizontal line.